

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KEITH STANSELL, et al.,	:	
Claimants,	:	
-against-	:	16 Misc. 405 (LGS) (SN)
	:	
REVOLUTIONARY ARMED FORCES OF	:	
COLOMBIA (FARC), et al.,	:	
Defendants.	:	
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OLIVIA PESCATORE, et al.,	:	
Claimants,	:	
-against-	:	18 Misc. 545 (LGS) (SN)
	:	
JUVENAL OVIDIO RICARDO PALMERA	:	
PINEDA, et al.,	:	
Defendants.	:	
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**FINAL JUDGMENT
ON CLAIMANTS' INTERPLEADER CROSSCLAIMS**

LORNA G. SCHOFIELD, District Judge:

Pursuant to the Court's December 21, 2022 Opinion and Order [Docket Number 497] adopting in full the March 29, 2022 Report and Recommendations of Magistrate Judge Sarah Netburn [Docket Number 443], and pursuant to Fed. R. Civ. P. 12(c), the following Declaratory Judgment is hereby ORDERED AND ADJUDGED:

1. Treble damages awarded under the Antiterrorism Act ("ATA"), 18 U.S.C. § 2333(a) are compensatory damages because they are remedial in nature, and function, in essence, as a form of liquidated damages.

2. The full \$318,030,000 award of the Stansell judgment is for compensatory damages fully collectible under TRIA. The full \$69,000,000 award of the Pescatore judgment is for compensatory damages fully collectible under TRIA.

3. Caballero is entitled to collect both the economic and non-economic compensatory damages awarded in his ATA judgment, which amounts were trebled, and such trebled amounts are compensatory damages fully collectible under TRIA per paragraph 1 above.


4. Caballero holds a valid ATA judgment that is not void as a matter of law for lack of subject matter jurisdiction or personal jurisdiction.

5. JUDGMENT is hereby entered in favor of the STANSELL/PESCATORE claimants and against claimant ANTONIO CABALLERO on Caballero's interpleader crossclaims [Docket Numbers 261, 262, 263, 264, 301, 335 and 376].

6. JUDGMENT is hereby entered in favor of Claimant ANTONIO CABALLERO and against the STANSELL/PESCATORE Claimants on the STANSELL/PESCATORE interpleader crossclaims [Docket Numbers 268, 269, 270, 271, 272, 273, 310 and 328].

7. In light of the foregoing Judgments, the omnibus motion filed by the STANSELL/PESCATORE Claimants [Docket Number 330] and the motion filed by the CABALLERO Claimant [Docket Number 348], on their respective interpleader crossclaims, are hereby DENIED AS MOOT.

Dated: January 6, 2023
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE